

34. (Amended) The method of claim 33, wherein displaying within the preview pane the crop/frame marquee selection control comprises:

- defining dimensions of a selected portion of the original image;
- determining dimensions of the crop/frame marquee selection control based on the defined dimensions of the selection portion; and
- displaying the crop/frame marquee selection control with the determined dimensions.

38. (Amended) The method of claim 33, wherein displaying within the preview pane the scale marquee selection control comprises:

- defining dimensions to which the captured image is to be scaled;
- determining dimensions of the scale marquee selection control based on the defined dimensions to which the captured image is to be scaled; and
- displaying the scale marquee selection control with the determined dimensions.

REMARKS

Claims 1-39 are pending. By this Amendment, claims 1, 2, 14, 15, 17, 18, 30, 31, 33, 34 and 38 are amended. No new matter is added by any of these amendments.

Reconsideration based on the following remarks is respectfully requested.

The attached Appendix includes a marked-up copy of each rewritten claim (37 CFR §1.121(c)(1)(ii)).

Entry of this amendment is proper under 37 CFR §1.116 because the amendments: a) place the application in condition for allowance (for all the reasons discussed herein); b) do not raise any new issues requiring further search or consideration; c) place the application in better condition for appeal (if necessary); and d) address formal requirements of the Final

Rejection and preceding Office Action. Accordingly, Applicants respectfully request entry of this Amendment.

The Final Office Action rejects claims 1-6, 9, 11, 14, 16-22, 25, 27, 30 and 32-39 under 35 U.S.C. §102(e) over U.S. Patent 6,298,172 to Arney et al. (Arney). This rejection is respectfully traversed.

Arney does not teach or suggest an image capture control system for an image capture device, including a controller that provides control parameters to the image capture device, the image capture device able to capture an image, from an original document that provides an original image, based on the provided control parameters, the control parameters including at least one image capture parameter, a display device, and a graphical user interface displayable on the display device, the graphical user interface including a preview pane portion that visually indicates at least one feature of a resulting captured image, wherein the resulting captured image will result upon generating a captured image from the original image using the at least one image capture parameter, and the preview pane portion visually indicates the at least one feature without the image capture device capturing the captured image, as recited in claim 1. These arguments also apply by extension to claims 2-6, 9, 11, 14 and 16 that depend from claim 1.

Arney also fails to teach or suggest a graphical user interface including a preview pane portion that visually indicates at least one feature of a resulting captured image, wherein the resulting captured image will result upon generating a captured image from the original image using the at least one image capture parameter, and the preview pane portion visually indicates the at least one feature without the image capture device capturing the captured image, as recited in claim 17. The controller, display device and graphical user interface, as respectively recited in claim 1, and the graphical user interface as recited in claim 17 avoid the need to produce a preview scan. See page 20, line 2 of the specification. These

arguments also apply by extension to claims 18-22, 25, 27, 30 and 32 that depend from claim 17.

Further, Arney does not teach or suggest a method for displaying visual cues indicating capture parameters for a captured image without generating the captured image from an original document that provides an original image, including displaying a preview pane, and displaying within the preview pane, without the image capture device capturing the captured image, at least one of a crop/frame marquee selection control, a scale marquee selection control, an image orientation mimic, and an image quality profile mimic, as recited in claim 33. These arguments also apply by extension to claims 34-39 that depend from claim 33.

Instead, Arney discloses a preview display screen 10 visible to the user when the platen cover 56 is closed. Activation of a control panel 32 enables a "snapshot" image on the platen 52 to be transferred to the preview device screen 10. A camera 34, with a lens 36, and a lightsource 38 are moved with the image acquisition device 70 to render the snapshot image. See col. 4, lines 46-60, col. 5, line 53 – col. 6, line 8, col. 6, lines 27-34 and Fig. 1A of Arney. By teaching a preview scan is to be captured and displayed, Arney teaches away from the claimed preview pane portion that visually indicates at least one feature of an image that would result, without actually capturing or displaying any resulting image. Thus, the preview display screen 10 of Arney does not anticipate the preview pane portion recited in claims 1-32.

For at least these reasons, Arney fails to teach, disclose or suggest all of the features of claims 1-39. Thus, Arney cannot anticipate the subject matter of claims 1-39 under 35 U.S.C. §102(e). Withdrawal of the rejection of claims 1-6, 9, 11, 14, 16-22, 25, 27, 30 and 32-39 under 35 U.S.C. §102(e) as anticipated by Arney is respectfully requested.

The Final Office Action rejects claims 7, 8, 10, 12, 13, 23, 24, 26, 28 and 29 under 35 U.S.C. §103(a) over Arney in view of U.S. Patent 5,963,216 to Chiarabini et al. (Chiarabini). This rejection is respectfully traversed.

Chiarabini fails to compensate for the deficiencies of Arney outlined above with respect to claims 1 and 17. Nor does Chiarabini teach, disclose or suggest any of the additional features recited in any of claims 7, 8, 10, 12, 13, 23, 24, 26, 28 and 29. Instead, Chiarabini discloses a preview of a print job prior to printing. See col. 2, lines 20-33 of Chiarabini. In particular, Chiarabini teaches a special print preview implemented by the printer driver 203 that scans the page to be viewed and renders the preview in a "print progress" window on the monitor 206 instead of using the printer 205. See col. 10, lines 4-14 of Chiarabini. The printer driver of Chiarabini can provide a wireframe and limits scanlines to be painted. See col. 9, lines 49-57, col. 10, lines 19-29 and Fig. 9 of Chiarabini. Thus, the print preview of Chiarabini presents a limited-scan rendering of the previewed image, rather than a feature of an image that would result, without actually capturing or displaying any resulting image, as claimed in claim 1. Further, even a combination of the teachings of Arney and Chiarabini fails to teach or suggest the preview pane portion recited in claims 1-32.

Nor does Chiarabini teach or suggest a scale-to portion and a scale-to-enable portion for determining dimensions of the scale marquee section control, as recited in claim 7. Chiarabini also fails to teach a scale marquee selection control, a scale-to portion and a scale-to enable portion, wherein enabling the scale-to portion links the scale marquee section control with the crop/frame marquee section control, as recited in claim 10. Instead, Chiarabini discloses a scaling dialog box 220 with page dimensions, but provides no crop/frame control, much less a link between a scale marquee and crop/frame marquee section controls. See col. 6, lines 58-65 and Fig. 7 of Chiarabini.

For at least these reasons, the combination of Arney and Chiarbini fails to teach, disclose or suggest all of the features of claims 1-39. Thus, the combination of Arney and Chiarbini cannot render obvious the subject matter of claims 1-39 under 35 U.S.C. §103(a). Withdrawal of the rejection of claims 7, 8, 10, 12, 13, 23, 24, 26, 28 and 29 under 35 U.S.C. §103(a) as unpatentable over the combination of Arney and Chiarbini is respectfully requested.

The Final Office Action rejects claims 15 and 31 under 35 U.S.C. §103(a) over Arney in view of U.S. Patent 6,317,141 to Pavley et al. (Pavley). This rejection is respectfully traversed.

Pavley does not compensate for the deficiencies of Arney outlined above with respect to claims 1 and 17. Nor does Pavley teach, disclose or suggest the additional features of the preview pane portion including an image quality profile mimic that visually indicates a currently selected image quality profile to be used when generating the captured image from the original image, as recited in claims 15 and 31. Instead, Pavley discloses editing media objects in a digital imaging device, such as a digital video camera 100. Specifically, Pavley discloses a review mode screen image area 304 and an icon/information area 306 of an object cell 300 to display a small low-resolution version of the image from Pavley's digital video camera. See col. 7, lines 57-65 of Pavley. By rendering the image for playback, Pavley fails to teach or suggest an image quality profile mimic, as recited in claims 15 and 31, as well the a preview pane portion recited in claims 1-32. Further, even a combination of the teachings of Arney and Pavley fails to teach or suggest a preview pane portion recited in claims 1-32.

For at least these reasons, the combination of Arney and Pavley fails to teach, disclose or suggest all of the features of claims 1-39. Thus, the combination of Arney and Pavley cannot render obvious the subject matter of claims 1-39 under 35 U.S.C. §103(a).

Withdrawal of the rejection of claims 15 and 31 under 35 U.S.C. §103(a) as unpatentable over the combination of Arney and Pavley is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-39 are earnestly solicited. Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Gerhard W. Thielman
Registration No. 43,186

JAO:GWT/gwt

Attachment:
Appendix

Date: January 2, 2003

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 24-0037</p>

APPENDIX

Changes to Claims:

The following is a marked-up version of the amended claims:

1. (Amended) An image capture control system for an image capture device, comprising:

a controller that provides control parameters to the image capture device, the image capture device able to capture an image, from an original document that provides an original image, based on the provided control parameters, the control parameters including at least one image capture parameter;

a display device; and

a graphical user interface displayable on the display device, the graphical user interface including a preview pane portion that visually indicates at least one feature of a resulting captured image ~~that~~, wherein

the resulting captured image will result upon generating a captured image from ~~an~~ the original image using the at least one image capture parameter, and

the preview pane portion visually indicates the at least one feature without the image capture device capturing the captured image.

2. (Amended) The image capture control system of claim 1, wherein the preview pane portion comprises a crop/frame marquee selection control that visually indicates a portion of ~~an~~ the original image that will be captured as the captured image.

14. (Amended) The image capture control system of claim 1, wherein the preview pane portion comprises an image orientation mimic that visually indicates an orientation of the captured image relative to ~~an~~ the original image.

15. (Amended) The image capture control system of claim 1, wherein the preview pane portion comprises an image quality profile mimic that visually indicates a currently

selected image quality profile to be used when generating the captured image from ~~an~~ the original image.

17. (Amended) A graphical user interface displayable on a display device of an image capture control system for an image capture device, the image capture device able to capture an image, from an original document that provides an original image, based on control parameters, the control parameters including scale parameters, the graphical user interface comprising:

a preview pane portion that visually indicates at least one feature of a resulting captured image ~~that, wherein~~

the resulting captured image will result upon generating a captured image from ~~an~~ the original image using the at least one image capture parameter, and

the preview pane portion visually indicates the at least one feature without the image capture device capturing the captured image.

18. (Amended) The graphical user interface of claim 17, wherein the preview pane portion comprises a crop/frame marquee selection control that visually indicates a portion of ~~an~~ the original image that will be captured as the captured image.

30. (Amended) The graphical user interface of claim 17, wherein the preview pane portion comprises an image orientation mimic that visually indicates an orientation of the captured image relative to ~~an~~ the original image.

31. (Amended) The graphical user interface of claim 17, wherein the preview pane portion comprises an image quality profile mimic that visually indicates a currently selected image quality profile to be used when generating the captured image from ~~an~~ the original image.

33. (Amended) A method for displaying visual cues indicating capture parameters for a captured image without generating the captured image from an original document that provides an original image, comprising:

displaying a preview pane; and

displaying within the preview pane, without the image capture device capturing the captured image, at least one of:

a crop/frame marquee selection control;

a scale marquee selection control;

an image orientation mimic; and

an image quality profile mimic.

34. (Amended) The method of claim 33, wherein displaying within the preview pane the crop/frame marquee selection control comprises:

defining dimensions of a selected portion of the original image;

determining dimensions of the crop/frame marquee selection control based on the defined dimensions of the selection portion; and-

displaying the crop/frame marquee selection control with the determined dimensions.

38. (Amended) The method of claim 33, wherein displaying within the preview pane the scale marquee selection control comprises:

defining dimensions to which the captured image is to be scaled;

determining dimensions of the scale marquee selection control based on the defined dimensions to which the captured image is to be scaled; and-

displaying the scale marquee selection control with the determined dimensions.